

ATTORNEY DOCKET NO. 01107.0003U4
Application No. 10/772,472

REMARKS

The application has been carefully reviewed in light of the Office Action dated September 21, 2005. Claims 74-106 are pending in the application. Claim 81 has been canceled without prejudice. Claims 84, 86, 92, 98, and 100 have been amended in this response. No new claims have been added. Applicant respectfully submits that the remarks accompanying this amendment should be construed as being submitted merely to clarify the invention rather than as a limitation submitted to overcome a cited reference.

Objections to the Specification

The Examiner objected to the continuation paragraph submitted by the Applicant as the data had become outdated. In response, the Applicant have provided a replacement paragraph that reads as follows:

This application is a continuation application of Serial No. 10/284,408, filed October 31, 2002, which is a continuation of Serial No. 09/331,124, filed August 12, 1999, now U.S. Patent No. 6,527,716, which is a 371 of PCT/US97/24127 filed December 30, 1997, which claims priority to Serial No. 08/778,415 filed December 31, 1996, now abandoned, the entire contents of which are hereby incorporated.

Objections to the Claims

The Examiner objected to claims 81, 85-90, 93-97, 101-105 because Claim 81 was viewed to be redundant and Claims 85-90, 93-97, 101-105 were viewed as failing to set forth a further structural limitation. In response, Applicant have canceled Claim 81, which renders the objection to that claim moot and have amended independent Claims 84, 92, 98 and 100 so that the limitations in the objected to dependent claims have a clear basis in their respective independent claim.

Obviousness-Type Double Patenting Rejection

The Office Action rejected Claims 74-106 under the judicially created doctrine of double patenting over Claims 1-21 of US Patent 6,527,716, Claims 3 and 6 of US Patent 6,352,506, Claims 35 and 66 of US Patent 5,558,211, Claims 1-33 of US Patent 6,142,939, and Claims 1-43 of US Patent 6,022,316. The Office Action also provisionally rejected the instant claims over claims 74-77, 88-126, 148, and 151-247 of copending Application 10/284,408.

To overcome this rejection as it relates to US Patent 6,527,716, US Patent 6,352,506, US Patent 5,558,211, US Patent 6,142,939, and US Patent 6,022,316., Applicant submits herewith a Terminal Disclaimer.

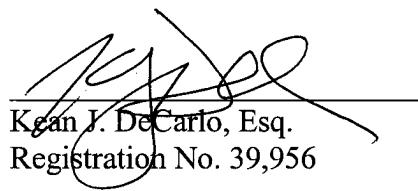
In regard to the provisional double patenting rejection over co-pending Application 10/284,408, Applicant acknowledges the rejection and will formally respond in the appropriate response once claims are found to be allowable, which would necessitate the removal of the provisional status of the rejection.

In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Payment in the amount of \$575.00 for a three-month extension of time fee (\$510.00) and the fee under 37 C.F.R. § 1.20(d) for a terminal disclaimer (\$65.00) (for a small entity) is enclosed. No additional fees are believed to be due; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,
NEEDLE & ROSENBERG, P.C.



Kean J. DeCarlo, Esq.
Registration No. 39,956

NEEDLE & ROSENBERG, P.C.
Customer Number 23859
(678) 420-9300
(678) 420-9301 (fax)